

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-1039

January 17, 2001

BANGOR HYDRO-ELECTRIC COMPANY
Request for Approval of Special Rate
Contract with Hannaford Bros. Co.

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF DECISION

By this Order, we allow the special rate contract between Bangor Hydro-Electric Company (BHE or the Company) and Hannaford Bros. Co. (Hannaford or the customer) to go into effect temporarily but we do not make any finding regarding the reasonableness of the contract.

DISCUSSION AND DECISION

On December 29, 2000, BHE filed with this Commission a proposed five-year customer service agreement (CSA) with Hannaford. This new CSA replaces a special rate contract that expired in November of 2000. In its request for approval, the Company asked that the CSA be allowed to go into effect temporarily, pending the outcome of a review to determine its reasonableness.

Consistent with the Company's request, we hereby grant temporary approval of the agreement without making any finding regarding its reasonableness. This docket will be kept open to allow the reasonableness of the CSA to be considered under a more thorough review of its terms. At the conclusion of that review, the Commission will issue a finding regarding the appropriateness of the agreement. To the extent the Commission finds that the terms or conditions of the contract are not reasonable, the contract terminates, by its own terms, as of the date of that final order.

Accordingly, we

O R D E R

That the Special Rate Contract with Hannaford Bros., Co. filed by Bangor Hydro-Electric Company on December 29, 2000 is temporarily approved and may be effective, as requested by the Company, as of November 27, 2000.

Dated at Augusta, Maine, this 17th day of January, 2001.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR:

Welch
Diamond
Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.